

S/N 10/698,333

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Gordon J. Bye et al.	Examiner:	Patrick Assouad
Serial No.:	10/698,333	Group Art Unit:	2857
Filed:	October 31, 2003	Docket:	1346.009US3
Title:	PORTABLE HEARING-RELATED ANALYSIS SYSTEM		

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(c)(2), Applicants hereby authorize the Commissioner to charge the fee of \$180.00, as set forth in 37 C.F.R. §1.17(p), to Deposit Account No. 19-0743.

11/05/2004 RFEKADU1 00000114 190743 10698333

01 FC:1806 180.00 DA

The present application is either a U.S. national patent application filed after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

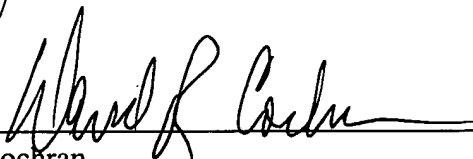
GORDON J. BYE ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 371-2157

Date 3 November 2004

By


David R. Cochran
Reg. No. 46,632

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 3 day of November, 2004.


Name


Signature

S/N 10/698,333

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gordon J. Bye et al.

Examiner: Patrick Assouad

Serial No.: 10/698,333

Group Art Unit: 2857

Filed: October 31, 2003

Docket: 1346.009US3

Title: PORTABLE HEARING-RELATED ANALYSIS SYSTEM

COMMUNICATION CONCERNING RELATED APPLICATIONS

IS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/004,788 6,366,863	January 9, 1998	1346.009US1	PORTABLE HEARING-RELATED ANALYSIS SYSTEM
09/152,416 6,449,662	September 14, 1998	1346.010US1	SYSTEM FOR PROGRAMMING HEARING AIDS
09/795,829 2001/0009019 A1	February 28, 2001	1346.010US2	SYSTEM FOR PROGRAMMING HEARING AIDS
10/241,764 2003/0014566 A1	September 10, 2002	1346.010US3	SYSTEM FOR PROGRAMMING HEARING AIDS
08/896,484 6,424,722	July 18, 1997	1346.018US1	PORTABLE SYSTEM FOR PROGRAMMING HEARING AIDS
09/492,913	January 20, 2000	899.011US1	HEARING AID SYSTEMS
10/096,335 2002/0168075 A1	March 11, 2002	1346.018US2	PORTABLE SYSTEM FOR PROGRAMMING HEARING AIDS

COMMUNICATION CONCERNING RELATED APPLICATIONS

Serial Number: 10/698,333

Filing Date: October 31, 2003

Title: PORTABLE HEARING-RELATED ANALYSIS SYSTEM

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Dkt: 1346.009US3

10/112,965
6,647,345

March 29,
2002

1346.009US2

PORTABLE HEARING-RELATED
ANALYSIS SYSTEM

Respectfully submitted,

GORDON J. BYE ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

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Minneapolis, MN 55402

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Name

Paula Suchy

Signature

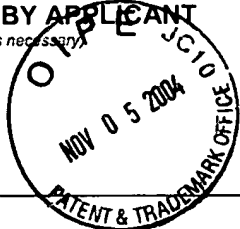
Paula Suchy

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/698,333
Filing Date	October 31, 2003
First Named Inventor	Bye, Gordon
Group Art Unit	2857
Examiner Name	Assouad, Patrick

Sheet 1 of 12

Attorney Docket No: 1346.009US3

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-2001/0007050 A1	07/05/2001	Adelman, Roger A.	600	150	02/09/2001
	US-2002/0168075 A1	11/14/2002	Hagen, Lawrence T., et al.	381	312	03/11/2002
	US-2003/0014566 A1	01/16/2003	Armitage, Scott T.	710	1	09/10/2002
	US-3,527,901	09/08/1970	Geib, Robert L.			03/28/1967
	US-4,188,667	02/12/1980	Graupe, Daniel , et al.	708	320	11/18/1977
	US-4,366,349	12/28/1982	Adelman, Roger A.	179	107	04/28/1980
	US-4,396,806	08/02/1983	Anderson, Jared A.	179	107	10/20/1980
	US-4,419,544	12/06/1983	Adelman, Roger A.	179	107	04/26/1982
	US-4,425,481	01/10/1984	Mansgold, Stephan , et al.	179	107	04/14/1982
	US-4,471,490	09/11/1984	Bellafiore, Gaspare	381	69	01/16/1983
	US-4,548,082	10/22/1985	Engebretson, A M., et al.	73	585	08/28/1984
	US-4,606,329	08/19/1986	Hough, Jack V.	128	1 R	06/17/1985
	US-4,617,429	10/14/1986	Bellafiore, Gaspare	179	107	02/04/1985
	US-4,628,907	12/16/1986	Epley, John M.	128	1.6	03/22/1984
	US-4,634,815	01/06/1987	Marquis, Thierry	387	68.4	02/19/1985
	US-4,636,876	01/13/1987	Schwartz, David M.	360	32	09/17/1984
	US-4,637,402	01/20/1987	Adelman, Roger A.	128	746	12/01/1983
	US-4,652,702	03/24/1987	Yoshii, Ken	381	151	02/01/1985
	US-4,657,106	04/14/1987	Hardt, Heinz	381	68.4	11/05/1985
	US-4,680,799	07/14/1987	Henneberger, Hans	381	68.6	06/06/1986
	US-4,682,248	07/21/1987	Schwartz, David M.	360	32	09/17/1985
	US-4,689,820	08/25/1987	Kopke, Wolfgang , et al.	381	315	10/11/1983
	US-4,706,778	11/17/1987	Topholm, J.	181	135	10/20/1986
	US-4,712,245	12/08/1987	Lyregaard, Poul E.	381	68.6	01/24/1985
	US-4,731,850	03/15/1988	Levitt, Harry , et al.	381	68.2	06/26/1986
	US-4,735,759	04/05/1988	Bellafiore, Gaspare	264	221	06/09/1986
	US-4,755,889	07/05/1988	Schwartz, David M.	360	32	08/12/1986
	US-4,756,312	07/12/1988	Epley, John M.	128	420.5	10/16/1986
	US-4,763,752	08/16/1988	Haertl, Christof , et al.	181	130	05/12/1987
	US-4,776,322	10/11/1988	Hough, Jack V., et al.	128	1.6	08/18/1986

EXAMINER**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO

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(Use as many sheets as necessary)

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Application Number	10/698,333
Filing Date	October 31, 2003
First Named Inventor	Bye, Gordon
Group Art Unit	2857
Examiner Name	Assouad, Patrick

Sheet 2 of 12

Attorney Docket No: 1346.009US3

US-4,791,672	12/13/1988	Nunley, James A., et al.	381	317	10/05/1984
US-4,800,982	01/31/1989	Carlson, Elmer V.	181	130	10/14/1987
US-4,811,402	03/07/1989	Ward, Gary L.	381	68.6	11/19/1986
US-4,815,138	03/21/1989	Dietelm, Beda	381	69.2	06/15/1987
US-4,817,609	04/04/1989	Perkins, Rodney C., et al.	128	420.6	09/11/1987
US-4,834,211	05/30/1989	Bibby, Kenneth , et al.	181	135	02/02/1988
US-4,867,267	09/19/1989	Carlson, Elmer V.	181	130	01/03/1989
US-4,869,339	09/26/1989	Barton, James I.	181	130	10/11/1988
US-4,870,688	09/26/1989	Voroba, Barry , et al.	381	60	05/27/1986
US-4,870,689	09/26/1989	Weiss, Erwin W.	381	68.6	03/31/1988
US-4,879,749	11/07/1989	Levitt, Harry , et al.	381	68.4	02/12/1988
US-4,879,750	11/08/1989	Nassler, Peter	381	68.6	12/11/1985
US-4,880,076	11/14/1989	Ahlberg, Carl S., et al.	181	130	12/05/1986
US-4,882,762	11/21/1989	Waldhauer, Fred D.			02/23/1988
US-4,887,299	12/12/1989	Cummins, Kenneth L., et al.	381	68.4	11/12/1987
US-4,920,570	04/24/1990	West, Henry L., et al.	381	315	12/18/1987
US-4,937,876	06/26/1990	Biermans, Jan	381	68.6	09/25/1989
US-4,947,432	08/07/1990	Topholm, Jan	381	68.2	01/22/1987
US-4,953,215	08/28/1990	Weiss, Hans-Joachim , et al.	381	68	10/05/1989
US-4,961,230	10/02/1990	Rising, Rolf C.	381	69.2	05/10/1988
US-4,962,537	10/09/1990	Basel, Rainer , et al.	381	68.6	09/16/1988
US-4,966,160	10/30/1990	Birck, Jonathan D., et al.	128	746	10/02/1986
US-4,972,487	11/20/1990	Mangold, Stephan E., et al.	381	315	05/16/1989
US-4,972,488	11/20/1990	Weiss, Erwin W., et al.	381	68.6	06/12/1989
US-4,972,492	11/29/1990	Tanaka, Masamichi , et al.	381	187	03/14/1989
US-4,975,967	12/04/1990	Rasmussen, Steen B.	381	187	05/22/1989
US-4,977,976	12/18/1990	Major, Miklos	181	130	09/27/1988
US-4,989,251	01/29/1991	Mangold, Stephan	381	68.2	05/10/1988
US-5,002,151	03/26/1991	Oliveira, Robert J., et al.	181	130	10/04/1989
US-5,003,607	03/26/1991	Reed, James S.	381	68.4	04/12/1989
US-5,003,608	03/26/1991	Carlson, Jason L.	381	68.6	09/22/1989
US-5,008,943	04/16/1991	Arndt, Horst , et al.	381	68.6	11/15/1989
US-5,012,520	04/30/1991	Steege, Gerhard	381	68	04/25/1989

EXAMINER

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Substitute Disclosure Statement Form (PTO-1449)

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Group Art Unit	2857
Examiner Name	Assouad, Patrick

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Attorney Docket No: 1346.009US3

US-5,014,016	05/07/1991	Anderson, James R.	330	10	04/13/1989
US-5,016,280	05/14/1991	Engbretson, A M., et al.	381	68	03/23/1988
US-5,027,410	06/25/1991	Williamson, Malcolm J., et al.	381	320	11/10/1988
US-5,033,090	07/16/1991	Weinrich, Soren	381	68.4	09/04/1990
US-5,044,373	09/03/1991	Northeved, Allan , et al.	128	746	01/24/1990
US-5,046,580	09/10/1991	Barton, James I.	181	135	08/17/1990
US-5,048,077	09/10/1991	Wells, Benjamin A., et al.	379	93.17	09/25/1988
US-5,048,092	09/10/1991	Yamagishi, Makoto , et al.	381	187	12/04/1989
US-5,061,845	10/29/1991	Pinnavaia, Giuseppe	235	492	04/30/1990
US-5,068,902	11/26/1991	Ward, Gary L.	381	68.6	03/06/1989
US-5,083,312	01/21/1992	Newton, James R., et al.	381	68	08/01/1989
US-5,101,435	03/31/1992	Carlson, Elmer V.	381	68.6	11/08/1990
US-5,111,419	05/05/1992	Morley Jr., Robert E., et al.	708	322	04/11/1988
US-5,133,016	07/21/1992	Clark, Wallace	381	69.2	03/15/1991
US-5,142,587	08/25/1992	Kobayashi, Yukio	381	187	06/14/1990
US-5,144,674	09/01/1992	Meyer, Wolfram , et al.	381	68	10/13/1989
US-5,146,051	09/08/1992	Hermann, Dietmar	181	130	07/16/1990
US-5,166,659	11/24/1992	Navarro, Marvin R.	381	68.6	11/09/1990
US-5,185,802	02/09/1993	Stanton, Mark F.	381	68.6	04/27/1992
US-5,195,139	03/16/1993	Gauthier, Edouard A.	381	69	05/15/1991
US-5,201,007	04/06/1993	Ward, Gary L., et al.	381	68.6	09/14/1989
US-5,208,867	05/04/1993	Stites, III, George M.	381	169	04/05/1990
US-5,210,803	05/11/1993	Raimund, Martin , et al.	381	68	10/02/1991
US-5,220,612	06/15/1993	Tibbetts, George C., et al.	381	68	12/20/1991
US-5,222,151	06/22/1993	Nagayoshi, Atsushi , et al.	381	187	09/06/1991
US-5,225,836	07/06/1993	Morley Jr., Robert E., et al.	341	150	11/15/1991
US-5,226,086	07/06/1993	Platt, Jonathan C.	381	58	05/18/1990
US-5,257,315	10/26/1993	Haertl, Christof , et al.	381	68.6	05/26/1992
US-5,259,032	11/02/1993	Perkins, Rodney C., et al.	381	68	11/12/1991
US-5,276,739	01/04/1994	Krokstad, Asbjorn , et al.	381	68.2	11/29/1990

EXAMINER**DATE CONSIDERED**

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Application Number	10/698,333
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First Named Inventor	Bye, Gordon
Group Art Unit	2857
Examiner Name	Assouad, Patrick

Sheet 4 of 12

Attorney Docket No: 1346.009US3

US-5,277,694	01/11/1994	Leysieffer, Hans , et al.	600	25	02/13/1992
US-5,282,253	01/25/1994	Konomi, Masao	381	151	02/26/1991
US-5,295,191	03/15/1994	Van Vroenhoven, Petrus A.	381	68.6	06/05/1992
US-5,298,692	03/29/1994	Ikeda, Yasuo , et al.	181	135	11/04/1991
US-5,303,305	04/12/1994	Raimo, Robert W., et al.	381	68	04/18/1986
US-5,303,306	04/12/1994	Brillhart, Bruce A., et al.	381	68	11/25/1991
US-5,319,163	06/07/1994	Scott, Robert T.	181	130	10/30/1992
US-5,321,757	06/14/1994	Woodfill, Jr., Ernest L.	381	68	05/20/1992
US-5,327,500	07/05/1994	Campbell, Donald E.	381	68.6	12/21/1992
US-5,338,287	08/16/1994	Miller, Gale W., et al.	600	25	12/23/1991
US-5,343,319	08/30/1994	Moore, Morris A.	359	152	06/14/1993
US-5,345,509	09/06/1994	Hofer, Alan , et al.	381	68.6	08/04/1992
US-5,347,477	09/13/1994	Lee, Jack	374	709.11	03/02/1993
US-5,357,251	10/18/1994	Morley Jr., Robert E., et al.	341	172	04/30/1993
US-5,357,576	10/18/1994	Arndt, Horst	381	68.6	08/27/1993
US-5,363,444	11/01/1994	Norris, Elwood G.	379	430	01/18/1994
US-5,365,593	11/15/1994	Greenwood, Jean B., et al.	381	69	03/19/1993
US-5,373,149	12/13/1994	Rasmussen, Kris A.	235	492	02/01/1993
US-5,373,555	12/01/1994	Norris, Elwood G., et al.	379	430	04/02/1993
US-5,381,484	01/10/1995	Claes, Rudi A., et al.	381	68.6	10/13/1992
US-5,384,852	01/24/1995	Scharen, Beat	381	68	08/10/1993
US-5,387,875	02/07/1995	Tateno, Makoto	330	10	01/21/1994
US-5,388,248	02/07/1995	Robinson, Kurt B., et al.	395	425	02/16/1994
US-5,390,254	02/14/1995	Adelman, Roger A.	381	68	04/19/1993
US-5,395,168	03/07/1995	Leenen, Joseph R.	381	68.6	05/27/1992
US-5,402,494	03/01/1995	Flippe, Patrice , et al.	381	69.2	06/24/1993
US-5,402,496	03/28/1995	Soli, Sigfrid D., et al.	381	94	07/13/1992
US-5,404,407	04/04/1995	Weiss, Hans-Joachim J.	381	68	06/29/1994
US-5,406,619	04/11/1995	Akhteruzzaman, , et al.	379	93.02	03/31/1994
US-5,416,847	05/16/1995	Boze, Steven E.	381	94.3	02/12/1993
US-5,418,524	05/23/1995	Fennell, Robert D.	340	825.22	10/19/1992
US-5,420,930	05/30/1995	Shugart, III, M W.	381	68.6	03/03/1994

EXAMINER

DATE CONSIDERED

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Group Art Unit	2857
Examiner Name	Assouad, Patrick

Sheet 5 of 12

Attorney Docket No: 1346.009US3

US-5,422,855	06/06/1995	Eslick, Russell D., et al.	365	226	09/30/1994
US-5,425,104	06/13/1995	Shennib, Adnan A.	381	68	08/17/1994
US-5,434,924	07/18/1995	Jampolsky, Arthur	381	68.4	03/06/1991
US-5,440,449	08/08/1995	Scheer, David C.	361	686	01/26/1994
US-5,445,525	08/29/1995	Broadbent, Neal E., et al.	439	64	05/12/1994
US-5,448,637	09/05/1995	Yamaguchi, Noboru, et al.	379	430	03/30/1995
US-5,475,759	12/12/1995	Engebretson, A M.	381	68.2	05/10/1993
US-5,479,522	12/26/1995	Lindemann, Eric, et al.	381	68.2	09/17/1993
US-5,481,616	01/02/1996	Freadman, Tommyca	381	90	11/08/1993
US-5,487,161	01/23/1996	Koenck, Steven E., et al.	442	115	11/25/1992
US-5,488,668	01/30/1996	Waldhauer, Fred	381	68.4	11/23/1993
US-5,500,901	03/19/1996	Geraci, Michael P., et al.	381	68.2	08/09/1994
US-5,500,902	03/19/1996	Stockham, Jr., Thomas G., et al.	381	68.4	07/08/1994
US-5,502,769	03/26/1996	Gilbertson, Mark	381	68	04/28/1994
US-5,515,424	05/07/1996	Kenney, Brian	379	93.22	12/13/1993
US-5,515,443	05/07/1996	Meyer, Wolfram	381	314	03/28/1994
US-5,530,763	06/25/1996	Aebi, Walter, et al.	381	69	06/10/1994
US-5,531,787	07/02/1996	Lesinski, S G., et al.	623	10	01/25/1993
US-5,533,029	07/02/1996	Gardner, Steven H.	370	329	06/05/1995
US-5,535,282	07/09/1996	Luca, Racca	381	68.6	05/22/1995
US-5,540,597	07/30/1996	Budman, Mark, et al.	439	77	12/15/1993
US-5,544,222	08/06/1996	Robinson, M. T., et al.	379	58	11/12/1993
US-5,546,590	08/13/1996	Pierce, Michael E.	395	750	09/19/1994
US-5,553,151	09/03/1996	Goldberg, Hyman	381	68.4	06/15/1994
US-5,553,152	09/03/1996	Newton, James R.	381	68.6	08/31/1994
US-5,555,490	09/10/1996	Carroll, David W.	361	686	12/13/1993
US-5,559,501	09/24/1996	Barzegar, Farhad, et al.	340	825	08/12/1994
US-5,561,446	10/01/1996	Montlick, Terry F.	345	173	02/07/1995
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US-5,574,654	11/12/1996	Bingham, Richard P., et al.	364	487	02/24/1994
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US-5,602,925	02/11/1997	Killion, Mead C.	381	312	01/31/1995
US-5,603,096	02/11/1997	Gilhousen, Klein S., et al.	455	69	07/11/1994
US-5,604,812	02/18/1997	Meyer, Wolfram	381	68.2	02/08/1995
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EXAMINER**DATE CONSIDERED**

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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached